

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI,	)	ED100941
	)	
Appellant,	)	Appeal from the Circuit Court
	)	of the City of St. Louis
v.	)	1322-CR00844-01
	)	
GLENN VALENTINE,	)	Honorable Dennis M. Schaumann
	)	
Respondent.	)	Filed: May 13, 2014

This is an interlocutory appeal in which the State of Missouri (State) appeals the trial court's order granting Respondent Glenn Valentine's (Defendant) motion to suppress evidence seized pursuant to a search warrant. The State argues that the trial court erred in determining that the probable cause supporting the search warrant was stale; and that regardless, the exception to the exclusionary rule applies here because the officers acted in good faith in executing the search warrant.

REVERSED.

Division Five Holds: The trial court clearly erred in finding that the probable cause was stale due to the passage of 17 days under the circumstances, which included Officer Hill's information gathered from several sources over a month-long period that Defendant repeatedly sold drugs to the same subjects, as well as Jane/John Doe's statements that he had a relationship as a narcotics buyer with Defendant over a period of several months. Thus, the issuing judge had a substantial basis for finding probable cause to support the warrant, and the warrant should be given deference.

Opinion by: Gary M. Gaertner, Jr., J.  
Robert M. Clayton III, C.J., and Mike Greenwell, S.J., concur.

Attorney for Appellant: Angie Elora Nadeau Davis  
Attorney for Respondent: Charles E. Kirksey, Jr.

<p><b>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</b></p>
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